

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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JOEL F. HOLUBAR,
 &
MARIANA H. HOLUBAR

Plaintiffs,

v.

03 CV 12404 (NG)

KENT KHOLBERGER;
THE CHASE FREEDMAN-FAMILY TRUST;
 &
M/Y CHEROSA, *in rem*,

Defendants.
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**AFFIDAVIT OF BJORN J. HOLUBAR, ESQ.
IN SUPPORT OF MOTION TO APPEAR *PRO HAC VICE***

I, Bjorn J. Holubar, Esq., being duly sworn, deposes and states:

1. I am an attorney duly admitted to the State bars of New York and Connecticut and the United States District Courts for the Southern, Eastern, Western and Northern Districts of New York. I submit this affidavit in support of the motion of plaintiffs, Joel F. Holubar and Mariana H. Holubar, for an order granting me leave to appear *pro hac vice* in this action on their behalf.

2. I am a member in good standing of the bar in every jurisdiction to which I have been admitted to practice, specifically the following jurisdictions: (i) state court for the State of New York; (ii) state bar of Connecticut; (iii) United States District Court for the Southern District of New York; (iv) United States District Court for the Eastern District of New York; (v)

United States District Court for the Western District of New York; and (vi) United States District Court for the Northern District of New York.

3. There are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.

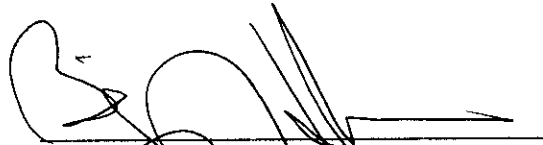
4. I am familiar with the local rules of the United States District Court for the District of Massachusetts.

5. The law firm of Lucash, Gesmer & Updegrave, LLP and I have represented the plaintiffs in this matter to date and are familiar with the factual and procedural history of this action.

6. In addition, the law firm of Lucash, Gesmer & Updegrave, LLP will continue to appear as counsel for the plaintiffs.

7. Accordingly, I respectfully request that the Court grant me permission to appear *pro hac vice* as attorney for the plaintiffs in this action.

Signed under the pains and penalties of perjury this 17th day of December 2003.

A handwritten signature in black ink, appearing to read 'Bjorn J. Halubar', is written over a horizontal line.

Bjorn J. Halubar, Esq.
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New York, New York 10021
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